

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

THOMAS E. EVERETTE, JR.,

Petitioner,

-vs-

TIMOTHY BUCHANAN, Warden,

Respondent.

:

Case No. 3:12-cv-408

:

District Judge Thomas M. Rose
Magistrate Judge Michael R. Merz

:

ORDER TO CLERK TO EXECUTE

The Magistrate Judge having previously ordered this case transferred to the Sixth Circuit for determination of whether or not to grant Petitioner leave to proceed on this second Petition and Petitioner having failed to file any objections to that Order within the time allowed by law, the Clerk is directed to carry the Transfer Order into execution and transfer this case to the Sixth Circuit.

s/ *Michael R. Merz*
United States Magistrate Judge